



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 31, 2015

By ECF

The Honorable Richard M. Berman
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007

**Re: *United States v. Philip Muir,*
S3 15 Cr. 78 (RMB)**

Dear Judge Berman:

The defendant has requested an adjournment of his deadline to file a reply to the Government's December 21, 2015 responses to his motions "until after the Court decides whether the parties will proceed on the S2 or S3 indictment and whether we will proceed with trial on January 19, 2016 or a later date." Although the Government does not object to a short adjournment of several days for the convenience of counsel, the Government does object to the indefinite adjournment the defense has requested. Whether "the parties will proceed on the S2 or S3 indictment" makes no difference whatsoever to the defendant's motions, which ask to dismiss counts and to suppress statements that are common to both indictments. Adjourning the defendant's reply would delay the resolution of his motions for no apparent reason and make it harder to keep the currently scheduled trial date of January 19, 2016.

Respectfully,

PREET BHARARA
United States Attorney

By: /s/ Robert Allen
ROBERT ALLEN
Assistant United States Attorney
(212) 637-2216

CC: Karloff C. Commissiong, Esq. (by ECF)